IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.12395 of 2000

Between:

1. Sk. Ali, S/o. N. Madina, Muslim, aged 55 years,

Resident of T.Devada S.O. Project Office,

Pedagantyada Mandal, Visakhapatnam District-530 031.

2. Md. Saleem, S/o. late Abdul Rahaman, Muslim, aged 40 years,

R/o. Door No.24-59-5, Ferry Road, Visakhapatnam-530 001.

3. Sk. Miskin Vali, S/o. Abdul Khadar, Muslim, aged 35 years,

R/o. Anakapalli Road, C/o. Bombay Sweet, New Gajuwaka,

Visakhapatnam-530 026.

4. Sk. Madina vali, S/o. Sk. Meer Mahiddin, Muslim, aged 42 years,

R/o. Anakapalli Road, Pan Shop, Opp.to Bommana Brothers,

New Gajuwaka, Visakhapatnam.

..... PETITIONERS

AND

1. The District Collector (Land Acquisition),

Collector's Office, Maharanipeta, Visakhapatnam.

2. Vuda Venkata Rao, S/o. Satyanarayana, Hindu male,

aged 50 years, Sarpanch of Devada Village,

Pedagantyada Mandal, Visakhapatnam.

3. Botta Sanyasi Rao, S/o. Apparao, Hindu male,

aged 40 years, R/o. Pattavanipalem, Kalpaka Post,

Pedagantyada Mandal, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ, order or direction, more particularly, one in the nature of WRIT OF MANDAMUS, declaring that the action of the first respondent in making preparations and in deciding to pay advance compensation to the respondents-2 and 3 for the land in the possession and enjoyment of the petitioners admeasuring Acs.62.89 situated in Survey Nos.665, 468 and 470 to 476 of Devada Village, Pedagantyana Mandal, Visakhapatnam District is illegal, arbitrary, capricious and violative of principles of natural justice and also violative of Article 300-A of the Constitution of India and also violative of Sections 30 and 31 of Land Acquisition Act and consequently to direct the first respondent not to make any payment of compensation and advance compensation to the respondents-2 and 3 except by way of deposit in Civil Court.

Counsel for the Petitioner: SMT.N. (P). ANJANA DEVI

Counsel for the Respondent No.1: GP FOR TRANSPORT

Counsel for the Respondent Nos.2 and 3: None appeared.

The Court made the following:

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

ORDER:

Smt. Anjana Devi, learned Counsel for the petitioners seeks permission of this Court to withdraw the writ petition. A letter to that effect is also addressed to the Registrar (Judicial). Permission is granted.

The writ petition is dismissed as withdrawn.

September 29, 2004. **V.V.S. RAO, J**

YS

To

1. The District Collector (Land Acquisition),

Collector’s Office, Maharanipeta, Visakhapatnam.

2. Two CCS to the Government Pleader for Transport,

High Court Buildings, Hyderabad (O.U.T).

3. Two C.D. copies.